

REMARKS

In the Office Action of November 28, 2008, claims 1-6, 9, 10, 12-24, 27, 28 and 30-40 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Pat. No. 5,768,607 (“Drews et al.”) in view of U.S. Pat. No. 5,642,171 (“Baumgartner et al.”).

In response, Applicant respectfully asserts that the independent claims 1, 10, 19, 28, 37 and 39 are not obvious over Drews et al. in view of Baumgartner et al., as explained below. In view of the following remarks, Applicant respectfully requests that the pending claims 1-6, 9, 10, 12-24, 27, 28 and 30-40 be allowed.

A. Patentability of Independent Claims 1, 10, 19, 28, 37 and 39

The independent claim 1 recites in part “*replaying said operations and said accompanying audio in said computer environment, said operations resulting from processing of recorded user inputs,*” which is not disclosed in Drews et al. and Baumgartner et al. Thus, the independent claim 1 is not obvious over Drews et al. in view of Baumgartner et al.

Drews et al. discloses making freehand annotation and drawings, which are recorded and replayed. However, the user inputs that were entered to make the annotation and drawings are not recorded. That is, in Drews et al., the results of user inputs are recorded as draw data, but the user inputs themselves are not recorded and processed. Thus, Drews et al. fails to disclose the limitation of “*said operations resulting from processing of recorded user inputs,*” as recited in the independent claim 1.

Applicant notes herein that Baumgartner et al. deals with audio for video, not audio for “*operations*” that result “*from processing of recorded user inputs,*” as recited in the independent claim 1. Thus, one of ordinary skill in the art would not apply the

teachings of Baumgartner et al. to replaying of operations that result from processing of recorded user inputs. Thus, the independent claim 1 is not obvious over Drews et al. in view of Baumgartner et al.

The above remarks are also applicable to the independent claims 10, 19, 28, 37 and 39, which recite limitations similar to those of the independent claim 1. Thus, the independent claims 10, 19, 28, 37 and 39 are also not obvious over Drews et al. in view of Baumgartner et al.

B. Patentability of Dependent Claims 2-6, 9, 12-18, 20-24, 27, 30-36, 38 and 40

Each of the dependent claims 2-6, 9, 12-18, 20-24, 27, 30-36, 38 and 40 depends on one of the independent claims 1, 10, 19, 28, 37 and 39. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims.

Applicant respectfully requests reconsideration of the claims in view of the claim amendments and the remarks made herein. A notice of allowance is earnestly solicited.

Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of November 28, 2008 to and through May 28, 2009, comprising an extension of the shortened statutory period of three months (\$555).

Respectfully submitted,
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